

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No.: 038602/0157

Applicant: Gerald McMAHON, et al.

Appl. No.: 09/081,917

Filing Date: May 19, 1998

Examiner: P. Shipada

Art Unit: 1624

Title: ISOXAZOLE-4-CARBOXAMIDE COMPOUNDS ACTIVE AGAINST  
PROTEIN TYOSINE KINASE RELATED DISORDERS**REVOCATION OF PRIOR POWERS OF ATTORNEY AND  
APPOINTMENT OF NEW POWER OF ATTORNEY BY ASSIGNEE  
CHANGE OF CORRESPONDENCE ADDRESS**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

SUGEN, Inc. is the assignee of Application No. 09/081,917, filed May 19, 1998, and all continuing applications thereof, as evidenced by an Assignment recorded in the U.S. Patent and Trademark Office on August 7, 1998 at reel/frame 9626/0964.

SUGEN Inc., through its duly-delegated representative, hereby revokes all prior Powers of Attorney submitted in this application, and hereby appoints the following registered attorneys and agents of the law firm of FOLEY & LARDNER:

STEPHEN A. BENT	Reg. No. 29,768
DAVID A. BLUMENTHAL	Reg. No. 28,257
BETH A. BURROUS	Reg. No. 35,087
ALAN J. CANTOR	Reg. No. 28,183
WILLIAM T. ELLIS	Reg. No. 28,874
JOHN J. FELDHAUS	Reg. No. 28,822
PATRICIA D. GRANADOS	Reg. No. 33,683
JOHN P. ISACSON	Reg. No. 33,716
MICHAEL D. KAMINSKI	Reg. No. 32,904
LYLE K. KIMMS	Reg. No. 34,079
KENNETH E. KROSIN	Reg. No. 25,735
JOHNNY A. KUMAR	Reg. No. 34,649
GLENN LAW	Reg. No. 34,371
PETER G. MACK	Reg. No. 26,001

BRIAN J. MC NAMARA  
SYBIL MELOY  
RICHARD C. PEET  
GEORGE E. QUILLIN  
COLIN G. SANDERCOCK  
BERNHARD D. SAXE  
CHARLES F. SCHILL  
RICHARD L. SCHWAAB  
ARTHUR SCHWARTZ  
HAROLD C. WEGNER

Atty. Dkt. No. 038602/0157  
Reg. No. 32,788  
Reg. No. 22,749  
Reg. No. 35,782  
Reg. No. 32,792  
Reg. No. 31,298  
Reg. No. 28,865  
Reg. No. 27,590  
Reg. No. 25,479  
Reg. No. 22,115  
Reg. No. 25,258

and the following additional attorneys and agents: Christopher J. Smith, Reg. No. 40,179; H. Thomas Anderton, Jr., Reg. No. 40,895; Donna D. Johnson, Reg. No. 45,544; as its principal attorneys to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, to transact all business in the United States Patent and Trademark Office connected therewith, and to have full power of substitution, association, and revocation, including the power to revoke the power of attorney of any associate attorney.

Please direct all future correspondence concerning this application to:

Beth A. Burrous or John P. Isaacson

FOLEY & LARDNER

Washington Harbour

3000 K Street, N.W., Suite 500

Washington, D.C. 20007-5109


Telephone: (202) 672-5300

Facsimile: (202) 672-5399

Executed this 25 day of September, 2000.

SUGEN Inc.:

By:

  
(Signature)

JERRY McMAHON

(Printed Name)

Sr. Vice President [Drug Discovery]  
(Title)

**DECLARATION  
AND POWER OF ATTORNEY**  
Utility Application

LYON & LYON LLP

235/090

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "HETEROARYLCARBOXAMIDE COMPOUNDS ACTIVE AGAINST PROTEIN TYROSINE KINASE RELATED DISORDERS", the specification of which

**Check One**

- ☐ is attached hereto.  
☒ was filed on May 19, 1998

Application Serial No. 09/081,917

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Application Number	Country	Date of Filing	Priority Claimed	
			Yes✓	No✓
60/047,084	USA	May 19, 1997	✓	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Number	Date of Filing	Status—Patented, Pending or Abandoned

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr., Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,395; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Lois M. Kwasigroch, Reg. No. 35,579; Lawrence R. LaPorte, Reg. No. 38,948; Robert C. Laurenson, Reg. No. 34,206; Carol A. Schneider, Reg. No. 34,923; Hope E. Melville, Reg. No. 34,874; Michael J. Wise, Reg. No. 34,047; Richard J. Warburg, Reg. No. 32,327; David T. Burse, Reg. No. 37,104; Jeffrey A. Miller, Reg. No. 35,287; Bernard F. Rose, Reg. No. P-42,112; Michael J. Bolan, Reg. No. P-42,339; Lynn Y. McKernan, Reg. No. P-41,986; and Dmitry R. Milikovskiy, Reg. No. P-41,999; and  
Reg. No. \_\_\_\_\_

# APPLICABLE STATUTES & RULES

## 37 CFR 1.56 DUTY TO DISCLOSE INFORMATION MATERIAL TO PATENTABILITY.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by ss 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY; NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless—

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

## 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

## 35 U.S.C. 119. BENEFIT OF EARLIER FILING DATE IN FOREIGN COUNTRY; RIGHT OF PRIORITY (Applicable Portion)

An application for patent for an invention filed in this country by any person who has, or whose legal representatives or assigns have, previously regularly filed an application for a patent for the same invention in a foreign country which affords similar privileges in the case of applications filed in the United States or to citizens of the United States, shall have the same effect as the same application would have if filed in this country on the date on which the application for patent for the same invention was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed; but no patent shall be granted on any application for a patent for an invention which has been patented or described in a printed publication in any country more than one year before the date of the actual filing of the application in this country, or which had been in public use or on sale in this country more than one year prior to such filing.

## 35 U.S.C. 120. BENEFIT OF EARLIER FILING DATE IN THE UNITED STATES

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, by the same invention shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or on an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

## 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification shall conclude with one or more claims particularly pointing out and distinctive claiming the subject matter which the applicant regards as his invention.

Send Correspondence to: LYNN & LYON LLP  
47th floor, 633 W. Fifth St.  
Los Angeles, CA 90071 Direct Telephone  
Calls to: Bernard F. Rose  
408) 993-1555

201	FULL NAME OF INVENTOR	FIRST Name GERALD	Middle Initial(s)	LAST Name McMAHON	
	RESIDENCE & CITIZENSHIP	City Kenwood	State or Foreign Country California	County of Citizenship United States of America	
	POST OFFICE ADDRESS	Post Office Address 1800 Schultz Road	City Kenwood	State or Country California	Zip Code 95452

202	FULL NAME OF INVENTOR	FIRST Name: PENG	Middle Initial(s) CHO	LAST Name TANG	
	RESIDENCE & CITIZENSHIP	City Moraga	State or Foreign Country California	County of Citizenship United States of America	
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203	FULL NAME OF INVENTOR	FIRST Name LAURA	Middle Initial(s) KAY	LAST Name SHAWVER	
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	POST OFFICE ADDRESS	Post Office Address 216 Cotter Street	City San Francisco	State or Country California	Zip Code 94112

204	FULL NAME OF INVENTOR	FIRST Name KLAUS	Middle Initial(s) PETER	LAST Name HIRTH	
	RESIDENCE & CITIZENSHIP	City San Francisco	State or Foreign Country California	County of Citizenship Germany	
	POST OFFICE ADDRESS	Post Office Address 334 Collingwood Street	City San Francisco	State or Country California	Zip Code 94114

205	FULL NAME OF INVENTOR	FIRST Name	Middle Initial(s)	LAST Name	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	County of Citizenship	
	POST OFFICE ADDRESS	Post Office Address	City	State or Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201	
Date	7/28/98

Signature of Inventor 204	
Date	7/29/98

Signature of Inventor 202	
Date	7/27/98

Signature of Inventor 203	
Date	7/27/98

Signature of Inventor 205	
Date	7/27/98

Signature of Inventor 206	
Date	7/27/98

(Signatures should conform to names as presented at 201 et seq. above.)

# POWER OF ATTORNEY

LYON & LYON LLP  
DOCKET INFORMATION

235/090

Sugen, Inc., assignee(s) of the application for United States Letters Patent for an improvement in  
"HETEROARYLCARBOXAMIDE COMPOUNDS ACTIVE AGAINST PROTEIN TYROSINE KINASE  
 RELATED DISORDERS", by Gerald McMahon, Peng Cho Tang, Laura Kay Shawver, and Klaus Peter  
 Hirth (Inventors)

- ☐ executed on even date herewith, or  
☒ having Serial No. 09/081,917 filed May 19, 1998

a copy of the assignment of which is attached hereto, do(es) hereby appoint as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr., Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,395; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Lois M. Kwasigroch, Reg. No. 35,579; Lawrence R. LaPorte, Reg. No. 38,948; Robert C. Laurenson, Reg. No. 34,206; Carol A. Schneider, Reg. No. 34,923; Hope E. Melville, Reg. No. 34,874; Michael J. Wise, Reg. No. 34,047; Richard J. Warburg, Reg. No. 32,327; David T. Burse, Reg. No. 37,104; Jeffrey A. Miller, Reg. No. 35,287; Bernard F. Rose, Reg. No. P-42,112; Michael J. Bolan, Reg. No. P-42,339; Lynn Y. McKernan, Reg. No. P-41,986; and Dmitry R. Milikovsky, Reg. No. P-41,999.

Send Correspondence to:	LYON & LYON LLP First Interstate World Center 47th Floor, 633 W. Fifth St. Los Angeles, CA 90071-2066	Direct Telephone Calls to: <u>Bernard F. Rose</u> (408) 993-1555
-------------------------	--	--

I, the undersigned, declare that I am the (an) assignee of the above-identified application or, if the assignee is a corporation, partnership or other association, I am authorized to make this appointment on behalf of the assignee and I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of Assignee	Sugen, Inc.		
Post Office Address	351 Galveston Drive, Redwood City, California 94063, USA		
Signature of Declarant or Assignee	Peter Hirth, Ph.D. Executive Vice President and Chairman, Drug Research & Development	Date	July <u>24</u> , 1998
Full Name of Declarant If Other Than Assignee			
Title of			



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 23, 1999

PTAS



\*100941452A\*

LYON & LYON LLP  
BERNARD F. ROSE, ESQ.  
633 W. FIFTH STREET, STE. 4700  
LOS ANGELES, CALIFORNIA 90071-2066

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/07/1998

REEL/FRAME: 9626/0964

NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MCMAHON, GERALD

DOC DATE: 07/28/1998

ASSIGNOR:

TANG, PENG CHO

DOC DATE: 07/28/1998

ASSIGNOR:

SHAWVER, LAURA KAY

DOC DATE: 07/28/1998

ASSIGNOR:

HIRTH, KLAUS PETER

DOC DATE: 07/28/1998

ASSIGNEE:

SUGEN, INC.

351 GALVESTON DRIVE

REDWOOD CITY, CALIFORNIA 94063-4720

SERIAL NUMBER: 09081917

FILING DATE: 05/19/1998

PATENT NUMBER:

ISSUE DATE:

RECEIVED  
APR 01 1999  
U.S. PROSECUTION

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



12-02-1998

NO. 054 P. 2/2

FORM PTO-1595  
1-31-92U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Docket No. 233/090

100941452

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Gerald McMahon, Peng Cho Tang, Laura Kay  
Shawver, Klaus Peter HirthAdditional name(s) of conveying party(ies) attached? Yes ☒ No

## 3. Nature of conveyance:

8-7-98  
☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date Julv 28, 1998

## 2. Name and address of receiving party:

Name: Sugen, Inc.

Internal Address: 351 Galveston Drive, Redwood City, CA 94063-4720

Street Address: 351 Galveston Drive, Redwood City, CA 94063-4720

Additional name(s) & address(es) attached? Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No. 09/081,917

B. Patent No. \_\_\_\_\_

Additional numbers attached? Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Bernard F. Rose, Esq. Lyon &amp; Lyon LLP

Internal Address: 633 W. Fifth Street, Ste 4700

City: Los Angeles State: California ZIP 90071 -2066

Street Address: 633 W. Fifth Street, Ste 4700

City: Los Angeles State: California ZIP 90071 -2066

6. Total number of applications and patents involved: 1

## 7. Total fee (37 CFR 3.41):.....\$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account

## 8. Deposit Account Number: 12-2475

Please charge this Deposit Account if any additional fee is required.

(Attach duplicate copy of this page if paying by deposit account.)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Bernard F. Rose, Reg. No.: P-42,112

Date: August 4, 1998

Total number of pages comprising cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

ASSIGNMENT

WHEREAS, WE, **GERALD MCMAHON**, a citizen of United States of America, residing at 1800 Schultz Road, Kenwood, California 95452, **PENG CHO TANG**, a citizen of the United States of America, residing at 827 Camino Ricardo, Moraga, California 94556; **LAURA KAY SHAWVER**, a citizen of the United States of America, residing at 216 Cotter Street, San Francisco, California 94112, and **KLAUS PETER HIRTH**, a citizen of Germany, residing at 334 Collingwood Street, San Francisco, California 94114, have invented a new and useful invention, titled "**HETEROARYLCARBOXAMIDE COMPOUNDS ACTIVE AGAINST PROTEIN TYROSINE KINASE RELATED DISORDERS**" for which we have filed application papers for United States Letters Patent thereon under attorney docket number 235/090; and

WHEREAS **SUGEN, INC.**, a Delaware corporation, having a place of business at 351 Galveston Drive, Redwood City, California 94063, is desirous of acquiring the exclusive right, title and interest in and to said invention and in to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and all countries foreign thereto;

NOW THEREFORE for a valuable consideration, the receipt of which is hereby acknowledged, we, **GERALD McMAHON, PENG C. TANG, LAURA KAY SHAWVER and KLAUS PETER HIRTH**, do hereby sell, assign, transfer and set over unto the said **SUGEN, INC.** its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all Letters Patents to be granted and issued therefore, not only form to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention for the Protection of Industrial property for every member country, and all applications for patents heretofore or hereafter filed for said invention in any foreign countries and all patents (including all extensions, renewals and reissues thereof) granted for said invention in any foreign countries; and we hereby authorize and request the Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said invention to **SUGEN, INC.**, its successors and assigns, in accordance with this Assignment.

IN TESTIMONY WHEREOF, I hereunto set my hand this 28 day of July,

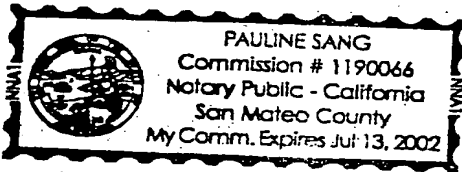
1998

GERALD McMAHON

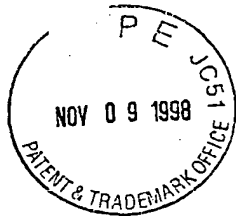
[illegible]

On this 28<sup>th</sup> day of July, 1998, before me, a Notary Public, State of California,  
duly commissioned and sworn, personally appeared **GERALD McMAHON** known to me to be  
the person whose name is subscribed to in the within instrument and acknowledged to me that he  
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in Redwood City, California the day and year first above written.



NOTARY PUBLIC



235/090  
PATENT

IN TESTIMONY WHEREOF, I hereunto set my hand this 27 day of July,

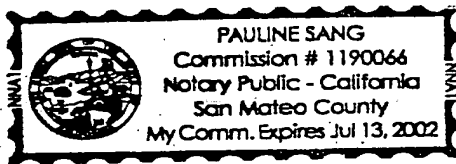
1998

  
PENG CHO TANG

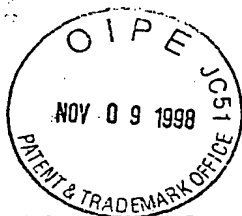
STATE OF CALIFORNIA           )  
  ) ss.  
COUNTY OF SAN MATEO       )

On this 21 day of July, 1998, before me, a Notary Public, State of California, duly commissioned and sworn, personally appeared **PENG CHO TANG** known to me to be the person whose name is subscribed to in the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in Redwood City, California the day and year first above written.



  
NOTARY PUBLIC



235/090  
PATENT

IN TESTIMONY WHEREOF, I hereunto set my hand this 27 day of July,

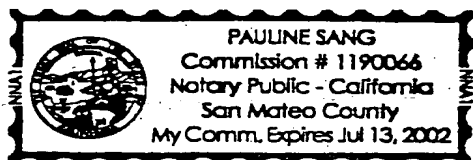
1998

  
LAURA KAY SHAWVER

STATE OF CALIFORNIA       )  
  ) ss.  
COUNTY OF SAN MATEO     )

On this 27 day of July, 1998, before me, a Notary Public, State of California,  
duly commissioned and sworn, personally appeared LAURA KAY SHAWVER known to me to  
be the person whose name is subscribed to in the within instrument and acknowledged to me that  
he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official  
seal in Redwood City, California the day and year first above written.



  
NOTARY PUBLIC



235/090  
PATENT

IN TESTIMONY WHEREOF, I hereunto set my hand this 29<sup>th</sup> day of July,

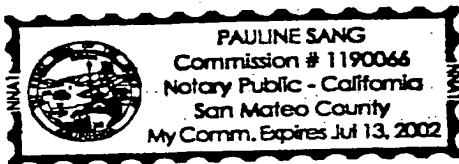
1998.

KLAUS PETER HIRTH

STATE OF CALIFORNIA     )  
                                      ) ss.  
COUNTY OF SAN MATEO    )

On this 29<sup>th</sup> day of July, 1998, before me, a Notary Public, State of California, duly commissioned and sworn, personally appeared **KLAUS PETER HIRTH** known to me to be the person whose name is subscribed to in the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in Redwood City, California the day and year first above written.



Pauline Sang  
NOTARY PUBLIC